



TEXAS JUVENILE JUSTICE DEPARTMENT

Response to the Independent Ombudsman
Fourth Quarter Report, FY 2020
November 13, 2020

The Texas Juvenile Justice Department (TJJD) has received the FY 2020 Fourth Quarter Report from the Office of the Independent Ombudsman (OIO), and appreciates this opportunity to respond and provide updates.

TJJD COVID response

TJJD continues all established protocols adopted in response to the COVID-19 pandemic. All in-person visitation remains suspended pursuant to necessary guidelines to limit the risk of introducing and spreading the coronavirus inside TJJD-operated facilities. Youth receive access to meet with their families and the OIO through virtual visitations. Connection and felt safety are foundational to the Texas Model and are vital to the youths' success in treatment and rehabilitation. TJJD remains committed to take all possible steps to ensure youth can still access their support systems outside TJJD.

Our partnership with the OIO is as important as ever during the COVID-19 pandemic, and the cooperation between the OIO and TJJD facility staff is key to providing our youth the ability to stay in communication with this independent advocate. The OIO conducted 103 facility site visits and interviewed 823 youth offenders over 963 total interviews. While these figures represent lower-than-average visits and interviews, the OIO was still able to accomplish its oversight and advocacy objectives during the summer peak of this pandemic. Collaboration between the two agencies continued the oversight and communication and allowed the youth to remain the priority.

All established infection control measures remain in place to prevent, as much as possible, the spread of COVID-19 through the juvenile justice system. This includes regular communication with the local juvenile probation departments so the county facilities can make informed, locally controlled, decisions regarding their youth placement and programming. For the state facilities, the gatehouse health screening, temperature checks, and requirement for staff to wear face masks while on campus has continued since March 2020. Campuses utilize small groups and common areas are regularly cleaned. Because of the partnership of other state agencies such as the Department of State Health Services and the Texas Division of Emergency Management, TJJD has been able to keep adequate supply of personal protective equipment for staff and youth, cleaning supplies for all facilities, and COVID-19 tests to be able to accurately respond to the risk levels at each facility.

Incident trends

The trends of major incidents decreasing across all state secure facilities continued during the fourth quarter. From the third quarter FY 2020 to the fourth quarter FY 2020 TJJD had a 7% decrease in the total use of restraints, a 12% decrease in all youth-on-youth assaults or unauthorized contact, and a 4% decrease in all youth-on-staff assaults or unauthorized contact.

TJJD has also made significant progress in improving the due process hearing administration within secure facilities. Nine of the ten hearing specialist positions have been filled, with the goal of having two specialists at each secure facility. These staff report to the hearings attorney in the agency's general counsel's office, and are trained to provide hearing administration during level II due process hearings as the hearing manager and the staff representative. The primary focus for these hearing specialists is to ensure youth due process is upheld and the incidents that require formal disciplinary consequences are handled appropriately. These hearings, as part of the violence continuum further mentioned below, increase the predictability that is necessary to properly redirect negative youth behavior.

Texas Model update

The fourth quarter saw unique challenges brought by the pandemic; however, TJJD remained focused on Texas Model program development. In ongoing preparations for the 87th Texas Legislative Session, TJJD finalized the agency's Legislative Appropriations Request, which focuses on meaningful and necessary reform for the juvenile justice system. The Texas Model plan for reform provides county probation departments the resources necessary to keep youth in their communities whenever possible. Resources and programming must also be allocated to focus on the individual needs of the youth, and the system needs better solutions for the mental health and specialized treatment needs of the youth served.

The LAR includes a request for additional, smaller, facilities located near urban areas to meet the needs of committed youth in sustainable supervision and population levels. TJJD has already taken steps towards these goals by reimagining the use of existing facilities. The Phoenix program and Redirect program have been fully moved to the Evins facility, which can achieve the supervision ratios necessary for the most aggressive youth in the system. The Redirect and Phoenix programs focus on youth with higher levels of aggression, or repetitive violent incidents, and provide the targeted behavior modification and interventions to control their aggressive behavior. When that is accomplished, the youth have the ability to participate fully in other areas of the treatment program.

The intensive intervention program, which is a pull-out program for youth with lower levels of violent or aggressive incidents, is operating at the other four secure facilities. This program is focused on teaching youth to manage their emotions and stress and to learn to take responsibility for their decisions using Dialectical Behavior Therapeutic principles. This program has been mentioned in recent OIO site visit reports as one where the youth feel safe and feel they are benefiting from the interventions.

In addition to the programs integral to the violence continuum, TJJD has continued to improve the programming offered for youth in the mental health treatment program and crisis stabilization unit. The cross-collaboration between agency mental health and medical staff can increase the efficacy of programming offered to these youth with acute mental health needs. The agency has also focused its sexual behavior treatment program at the Gainesville facility, which other than the Evins facility for the violence continuum will be the only treatment-specific facility. Further development of this classification system will continue in the coming months.

TJJD appreciates the partnership with the OIO and the opportunity to respond and provide an update to this this Report.